

13281 U.S. PTO
021804

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)
Submit an original and a duplicate for fee processing

322856 U.S. PTO
10/779702
021804

THIS APPLICATION:		PRIOR APPLICATION:		TOTAL NO.
DOCKET NUMBER	FILING DATE	EXAMINER	ART UNIT	OF PAGES
P66775US1	February 18, 2004	K. Mitchell	3677	68

Address to: Commissioner for Patents
P.O. Box 1450
Mail Stop Patent Application
Alexandria, VA 22313-1450

This is a request for filing a [] continuation or [X] divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 09/868,623 filed on September 25, 2001, entitled AN ELECTROKINETIC GEOSYNTHETIC STRUCTURE by the following inventor(s).

	Family Name	First Given Name	Second Given Name
Full Name of Inventor	PUGH	Robert	Colin
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Newcastle Upon Tyne	United Kingdom	United Kingdom
	Post Office Address	City	State & Zip Code/ Country
Post Office Address	University of Newcastle, Department of Civil Engineering, Newcastle Upon Tyne United Kingdom NE1 7RU		

	Family Name	First Given Name	Second Given Name
Full Name of Inventor	JONES	Colin	John Francis Philip
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Newcastle Upon Tyne	United Kingdom	United Kingdom
	Post Office Address	City	State & Zip Code/ Country
Post Office Address	University of Newcastle, Department of Civil Engineering, Newcastle Upon Tyne United Kingdom NE1 7RU		

[] additional sheet(s) with inventors information attached

1. ☒ A Second Preliminary Amendment is enclosed.
2. ☒ Cancel claim(s) 2-19 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

Basic Fee			\$385	\$770
Total Claims	17	- 20 =	x 9 = \$	x 18 = \$
Ind. Claims	2	- 3 =	x 43 = \$	x 86 = \$
<input type="checkbox"/> Multiple Dependent Claims			<u>+145 = \$</u> Total \$ 385	<u>+ 290 = \$</u> Total \$

3. ☐ The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. ☐ This application is filed under Rule 53(f) and therefore the ☐ Filing Fee ☐ Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 37 C.F.R. 1.16 fees previously made is revoked.
5. ☒ A credit card payment (Form PTO-2038) in the amount of \$ 385.00 is enclosed.

☒ If the amount provided in a. is incorrect, the Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 06-1358.
6. ☒ Amend the specification by inserting before the first line the sentence:

☒ See Preliminary Amendment filed herewith
7. ☒ A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:
 - a) ☒ was claimed by way of a declaration filed in prior application Serial No. 09/868,623.
 - b) ☐ is claimed by way of the attached declaration.

8. ☒ Priority of application No. 9828270.0, filed on December 23, 1998 in the United Kingdom is claimed under 35 U.S.C. 119.
- a) ☒ Certified copy is on file in prior application, Serial No. 09/868,623.
- b) ☐ Certified copy filed herewith.
9. ☒ The prior application is assigned of record to Newcastle University Ventures Limited.
10. ☒ The Power of Attorney in the prior application is to at least one of the following:
- Michael R. Slobasky, 26,421**; Harvey B. Jacobson, Jr., 20,851; John Clarke Holman, 22,769; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; William E. Player, 31,409; Yoon S. Ham, 45,307; and Nathaniel A. Humphries, 22,772.
- a) ☒ The power appears in the original papers of the prior application.
- b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
11. ☒ Petition to extend the life of the above prior application to at least the date hereof
- (One box) ☐ is being concurrently filed in
NOTE: (must be) that prior application.
(X'd) ☐ was previously filed in that application.
☒ is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. ☒ New formal drawings are enclosed.
13. ☒ Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 09/868,623, filed September 25, 2001 which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☒ More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.

14. ☒ Enclosed is a copy of the PTO 892 which issued in Serial No. 09/868,623, filed September 25, 2001 which is relied on for an earlier filing date under 35 U.S.C. 120.

a) ☒ More than one PTO 892 issued in the above Serial No. 09/868,623 and copies of each PTO 892, less the documents, are enclosed.

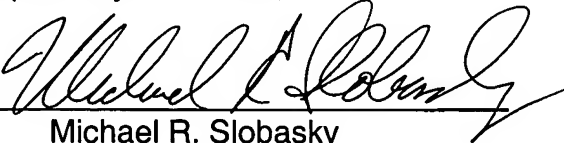
15. ☐ Also enclosed is:

Address all future correspondence to:

Customer No. 00136
or
JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666

Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. 09/868,623, filed on September 25, 2001. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By 

Michael R. Slobasky
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(202) 638-6666

Signed this 18 day of
February, 2003

☒ Attorney or Agent of record

☐ Filed under 37 CFR 1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: PUGH

Serial No.: 09/868,623

Examiner: Katherine Mitchell

Filed: September 25, 2001

Group: 3677

Allowed: November 4, 2003

Confirmation No.: 1090

For: ELECTRO KINETIC GEOSYNTHETIC STRUCTURE

LETTER TO THE OFFICIAL DRAFTSPERSON

Mail Stop PGPUB Drawings
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

X Submitted herewith are 7 sheets of formal drawings.

X The Examiner approved corrections of the drawings filed
March 14, 2003 have been:

X Corrected on substitute sheets of
drawings. Please substitute these
drawings for the original drawings.

Respectfully submitted,
JACOBSON HOLMAN, PLLC

By:

Michael R. Slobasky
Reg. No. 26,421

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Atty. Dkt. No. P66775US0
Date: February 4, 2004